

EXHIBIT 2

**TO DEFENDANT JIN GAO'S MOTION TO DISMISS
FOR LACK OF SERVICE AND PERSONAL JURISDICTION**

Emily A. Letcher

From: Ratchick, Scott M. <Scott.Ratchick@CHAMBERLAINLAW.COM>
Sent: Tuesday, May 9, 2023 3:03 PM
To: joe@christensendougherty.com
Cc: Sam Hirzel; Kelly Rowe; Guin, John C.; 'John Jasnoch'
Subject: RE: Pelham v. VBit, et al. -- Invalid Service of Process on Jin Gao

John,

When we spoke a few weeks ago, you said you were going to speak with your process server about the purported service of process and what we showed on the Ring video. Have you done that? We also discussed that you would address with your client and co-counsels whether our client, Jin Gao, was a proper defendant given the complete lack of involvement with the claims and alleged damages that your client claims to have sustained. As we discussed, Mr. Gao had no involvement in the freezing of the virtual wallets and, in fact, he lost his bitcoin assets just as your client did. He also had nothing to do with the transaction for the sale of the company to Advanced Mining, and he was never an officer or shareholder of VBit or Advanced Mining. He was an independent contractor salesperson. Mr. Gao has been dismissed from other cases that were filed against VBit and we believe it is appropriate that he be dismissed from this case as well.

Please let us know your client's position on these matters.

Thank you,

Scott

Scott M. Ratchick
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From: joe@christensendougherty.com <joe@christensendougherty.com>
Sent: Wednesday, April 12, 2023 9:24 AM
To: Ratchick, Scott M. <Scott.Ratchick@CHAMBERLAINLAW.COM>
Cc: 'Sam Hirzel' <shirzel@hegh.law>; 'Kelly Rowe' <KRowe@hegh.law>; Guin, John C. <John.Guin@chamberlainlaw.com>; 'John Jasnoch' <jjasnoch@scott-scott.com>
Subject: RE: Pelham v. VBit, et al. -- Invalid Service of Process on Jin Gao

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Scott,

Thanks for following up. I meant to get back to you earlier this week. I'm tied up in a deposition and preparation today and tomorrow, but I've copied my co-counsel John Jasnoch here and perhaps the two of you could connect.

Joseph L. Christensen
Christensen & Dougherty LLP
(302) 212-4330
joe@christensendougherty.com

From: Ratchick, Scott M. <Scott.Ratchick@CHAMBERLAINLAW.COM>

Sent: Wednesday, April 12, 2023 9:22 AM

To: joe@christensendougherty.com

Cc: Sam Hirzel <shirzel@hegh.law>; Kelly Rowe <KRowe@hegh.law>; Guin, John C. <John.Guin@chamberlainlaw.com>

Subject: RE: Pelham v. VBit, et al. -- Invalid Service of Process on Jin Gao

Good morning Joe.

I am following up on our conversation and my e-mail (below) from last week. Please let me know if you want to discuss.

Thanks,

Scott

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From: Ratchick, Scott M. <Scott.Ratchick@CHAMBERLAINLAW.COM>

Sent: Wednesday, April 5, 2023 4:32 PM

To: joe@christensendougherty.com

Cc: Sam Hirzel <shirzel@hegh.law>; Kelly Rowe <KRowe@hegh.law>; Guin, John C. <John.Guin@chamberlainlaw.com>

Subject: Pelham v. VBit, et al. -- Invalid Service of Process on Jin Gao

Joe,

Thanks for taking a few minutes to speak with me today. As we discussed, we, along with Sam Hirzel and Kelly Rowe of the firm Heyman Enerio Gattuso Hirzel, represent Jin Gao, who has been named as a defendant in the above-referenced action. We recently saw that you filed a Return of Service on which a process server, Timothy Weldon, attested that he personally served Mr. Gao on March 7, 2023. That in fact did not occur. Instead, the process server simply stuck a copy of the complaint in the outside door handle and then left. The following is a link to the Ring video that demonstrates what happened.

This supposed service was not effective and, as result, Mr. Gao has not yet been served.

[Ring_FrontDoor_20230307_1459.mp4](#)

You mentioned that you may ask us to acknowledge service, and we are happy to discuss this with you. At the same time, we would like to pursue discussions with you regarding the fact that Mr. Gao was not involved in the misconduct alleged in your client's complaint and should not be a defendant in this case. As you are probably aware, Mr. Gao was dismissed from the case of *Huntley v. VBit Technologies, et al.*, USDC District of Delaware, Case # 1:22-cv-01164-CFC-SRF, and there is a motion to dismiss pending in the case of *Dettmering, et al. v. VBit Technologies, et al.*, USDC District of Delaware, Case # 1:22-cv-01482-CFC-SRF. We would like the opportunity to present our reasons for a voluntary dismissal of Mr. Gao to you to see whether we can all avoid the briefing process involved in another motion to dismiss. After you have had a chance to review the attached video let us know how you want to proceed.

Many thanks,
Scott

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